

What Is Sexual Harassment?

Sexual harassment is a form of sex discrimination prohibited by federal and state laws and university policy. Under this policy, sexual harassment is defined as: unwelcome words, conduct, or actions of a sexual or gender-based nature, and (1) submission to such behavior is made either explicitly or implicitly a term or condition of employment or education at JWU, (2) submission to or rejection of such behavior is used as the basis for employment, academic, or other decisions, or (3) it is sufficiently severe, pervasive, or persistent and has the purpose or effect of unreasonably interfering with work or academic performance; denying or limiting the ability to participate in or to receive benefits, services, or opportunities in the university's programs; or creating a hostile, intimidating, or offensive working or educational environment.

Sexual harassment includes the misuse of authority to emphasize the sexuality of an individual in a manner that prevents or impairs that individual's full enjoyment of employment or educational benefits, environment or opportunities. While sexual harassment may take the form of physical conduct, it may also appear in verbal or written derogatory or discriminatory statements that may affect recommendations, status, promotions, raises or favorable work assignments for employees, or campus life, class assignments, grades or recommendations for students.

While sexual harassment often takes place in relationships with a power differential between the persons involved, the university also recognizes that sexual harassment may occur between persons in the absence of such a relationship.

Sexual harassment does not include words, conduct or action of a reasonably socially acceptable nature. However, some behavior appropriate in a social setting may not be appropriate in the workplace or academic environment. Additionally, sexual harassment does not include words, conduct or actions with reasonable educational or professional justification. It is not always easy to define precisely what behavior constitutes sexual harassment; however, examples of conduct which may constitute sexual harassment include, but are not limited to:

- unwelcome sexual advances and requests for sexual favors;
- sexual teasing, joking, suggestive looks, gestures, or staring;
- peer harassment that creates a hostile environment, such as spreading rumors about sexual behavior, sexually charged name calling, or inappropriate sexual text messages, emails, social media posts, and/or inappropriate communications in any other manner or media;
- direct or implied threats that submission to sexual advances will be a condition of employment, including work assignments, promotions, raises, recommendations, or status for employees, or an educational program or activity, including campus life, class assignments, grades, recommendations, or status in a course or program for students;
- unwelcome touching of any nature, including caressing, embracing, patting, or pinching;
- improper brushing against another's body or "friendly" arms around the shoulders;
- offers of money or other consideration, including an employment-related or education-related reward, for sexual activity;
- repeated requests for dates despite being asked to stop;
- suggestive sexual remarks or innuendos;
- improper or unwelcome inquiries about someone's sexual or personal life, or sharing information about one's own sexual or personal life;
- overt or subtle pressure for sexual activity or direct or implied propositions of a sexual nature;
- sexual assault and relationship violence prohibited by the university's Sexual Assault and Relationship Violence Policy, Title IX Policy and Procedures, Policy Governing Reporting of Misconduct and Whistleblowing, and the Student Code of Conduct;
- the use or display of pornographic or sexual materials; or
- epithets, quips, slurs, or negative stereotyping that relate to sex and/or gender.